

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE
MIDDLE DISTRICT OF ALABAMA, NORTHERN DIVISION

UNITED STATES OF AMERICA)
)
) CRIMINAL ACTION NO.
v.)
) 2:22cr179-MHT
)
ERIC J. SURLS)

ORDER

Based on the representations made on the record at
a hearing on March 7, 2023, it is ORDERED that:

- (1) Defendant Eric J. Surls's motion in limine (Doc. 52) is granted to the extent that his stipulations eliminate the need for the government to prove, as an element of the offense, that defendant Surls is a felon and knows he is a felon.
- (2) However, testimony regarding the nature of defendant Surls's prior convictions or the existence of his pending charges may still be admissible for "other reasons," as indicated during the hearing. But as to this "other reasons" evidence, the government shall not

mention the evidence in its opening statement, nor shall the government elicit this evidence at trial without first obtaining a ruling on its admissibility from the court outside the presence of the jury. Moreover, defendant Surlis should still be prepared to respond to the "other reasons" evidence at trial should the court find that it is admissible and can be heard by the jury.

DONE, this the 9th day of March, 2023.

/s/ Myron H. Thompson
UNITED STATES DISTRICT JUDGE